

Remarks --- General

The objection to the claim rejection under USC 112

Claim 1 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regarded as the invention. According to the examiner, the recitation "the deck" lacked positive antecedent in the claim.

The applicant requests reconsideration and withdrawal of this rejection, now that the amended claim provides a positive antecedent for "the deck".

The objection to the claim rejection under USC 102

Claim 1 was rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent no. 6,494,437 to Boyer; Specifically Boyer, as best seen in Figure 3, discloses a base structure, a rotatable drum 14, means (22a, 22b) for mounting and removing the base structure and rotatable drum from the deck of a flatbed truck, and two vertical safety brackets (15c, 15d, 31a).

The applicant requests reconsideration and withdrawal of this rejection now that the amended claim lists a spindle having associated bearings. It should be noted that the spindle and associated bearings are mentioned and described in both the preferred embodiment as well as the drawings, Figure 6, numbers 25 and 33 respectively.

The applicant respectfully points out that the drum, as best seen in the prior art, Figure 3 (6,494,437 to Boyer), revolves around an **axel** and that **both ends** of the axel are affixed to the frame housing.

The applicant's invention **does not** involve an **axel**, but instead, uses a **spindle**, Figure 6 number 25. The spindle, along with its associated bearings, Figure 6, number 33, allow for rotation of the drum, Figure 6, number 21, but the spindle itself, is attached to the base plate, Figure 6, number 27, **at only one end**, hence the term "spindle."

Conclusion

In conclusion, The applicant has rewritten the claim in order to define the invention more particularly and distinctly, so as to overcome the technical rejections and to define the invention's patent ability over the prior art, Patent Number 6,494,437 to Boyer, cited by the Examiner.

Conditional Request for Constructive Assistance

The applicant has amended the claim of this application so that it is proper, definite, novel and unobvious. If for any reason, this application is not believed to be in full condition for allowance, the applicant respectfully requests the constructive assistance and / or suggestions from the examiner, pursuant to M.P.E.P. 2173.02 and 707.07(j), in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Respectfully Submitted,



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Attachment: Appendix to Amendment A with replacement paragraphs marked-up to indicate changes.

**Appendix to Amendment A
With Replacement Paragraphs Marked-Up to indicate Changes**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 121, the following is a copy of all of the paragraphs amended by the attached Amendment A, with all changes indicated by bracketing deletions and underlining additions:

What is claimed is:

[1.] 2. A pulley system which comprises:

[(a)] a base structure,

a vehicle having a deck,

a spindle having associated bearings,

the spindle being coupled to the deck,

[(b)] a rotatable drum,

[(c)] a means for mounting and removing said base structure and rotatable drum from the deck of a [flat bed truck] vehicle,

[(d)] two vertical safety brackets